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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,133	12/20/2001	Charles E. Brugger	82187NAB	2430
7590	12/12/2008		EXAMINER	
Milton S. Sales Patent Legal Staff Eastman Kodak Company 343 State Street Rochester, NY 14650-2201			WORKU, NEGUSIE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/028,133	<b>Applicant(s)</b> BRUGGER ET AL.
	<b>Examiner</b> NEGUSIE WORKU	<b>Art Unit</b> 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 December 2008.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,6-12,14-16 and 19-21 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3,6-12,14-16 and 19-21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues, Nakajima '841' in view of koyanagi '844' do not teach a "first tether interface provides power from said first scanning unit to said second scanning unit". Upon further review, the examiner has incorporated the prior art cited below to further teach this limitation.

### ***Response to Election/Restrictions***

2. Applicant's election of Species I, (FIG 1-10), in replay filed on 08/02/08 are acknowledge. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP 818-103(a)). Further, claims 1-3, 6-8, 12, 14-16, 19-21 are Examined, because these claims are read on the elected Species I, [fig 1-10], and therefore since the remaining claims 4-5, 13, 17-18 are not read into elected Species I [Fig 1-10] are withdrawn.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6-12, 14-16 and 19-21, are rejected under 35 U.S.C. 103 (a) as being unpatentable over Nakajima et al., (USP 5,532,841) in view of Abbott et al. (USP 7,272,723).

With regard to claim 1, Nakajima et al., teaches a scanning system (100 of fig 1) supporting platen (100a flatbed type scanner) and sheet-fed scanning (100b, ADF image type scanner of fig 1) of documents comprising: a first scanning unit (image reading unit 100a of fig 1) with a first enclosure housing a first set of mechanisms for sheet-fed, (ADF type image reading 100c and 100a of fig 1), double-sided scanning functions, (ADF type image scanner has a function of double sided scanning) said first scanning unit (100a of fig 1 ) further comprising a connection to a computer (control unit 301 of fig 1); and a second scanning unit (100b of fig 1) with a second enclosure, attached to said first scanning unit (100a of fig 1) through a first tether interface, and including a second set of mechanisms for single-sided platen scanning of documents (glass type scanner 100a of fig 1) wherein: and said first and second scanning units are physically separated (ADF scanning unit 10b, 10c and flatbed scanning unit 100a of fig

1, are physically separated, as shown in fig 1). But Nakajima et al. does not teach or disclose wherein said first tether interface provides for power from said first scanning unit to said second scanning unit; said first tether interface transmits digital information.

Abbott '723' in the same area of connecting image scanner to the host computer and to other different devices, teaches wherein said first tether interface provides for power from said first scanning unit to said second scanning unit, said first tether interface transmits digital information between said first and scanning (as shown in fig 2, USB-compliant interface 204, may be used, for example, to indicate to the user for example for providing an indication of power signal (i.e., providing power between two devices) of the USB-compliant interface, same way USB interface provides indication of a data signal from the USB-compliant interface, (i.e., transmitting information between two devices) so that in a configuration of group of communication devices can use single USB for power and data transmission, col.7, line 60 through col.8, lines 1-15).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging device of Nakajima by the teaching of Abbott '723', for the purpose of having a flexible connectivity between various devices, such as plurality of scanner or printer and computer, in order easily exchange data between plurality of devices by facilitating a network image data sharing environment.

With respect to claim 2, Nakajima et al. discloses the scanning system (as shown in fig 1) wherein a plurality of digital scanning devices (scanning device I00a-I00c of

fig 1), are attached to said first scanning unit (100a of fig 2) through said tether interface (interface 164 of fig 6).

With respect to claim 3, Nakajima et al. discloses the scanning system (as shown in fig 1) wherein a plurality of digital scanning devices (scanning device 100a-100c of fig 1) are attached to said first scanning unit (100a of fig 2) through said tether interface (interface 164 of fig 6), for scanning checks or tickets (scanning document) in combination with the first scanning unit (100a of fig 2).

With respect to claim 6, Nakajima et al. discloses the scanning system (fig 1), Wherein said first scanning unit (100 of fig 5) and said second scanning unit share a Common host address (main control unit 300 of fig 1).

With respect to claim 7, Nakajima et al. discloses the scanning system (fig 1), wherein a third scanning unit (image reading unit 100c of fig 1) with a third enclosure are attached to said first scanning unit (100a of fig 1 ) through said tether interface (controller 150 is provided with. interface circuit 164 for external equipments, (col.6, lines 60-65).

With respect to claim 8, Nakajima et al. discloses the scanning system (fig 1 ), wherein said tether interface is an electronic cable, (interface circuit 164 for external equipments, (col.6, lines 60-65).

With respect to claim 12, Nakajima et al. discloses the scanning system (fig 1 wherein said first set of mechanisms (102a, 102b, 104 of fig 2) of said first scanning unit (image reading unit 100a of fig 1 ) comprise: a feeder opening (cover 107 to be open to

feed the document for scanning) through which paper documents are fed into said first scanning unit (100a of fig 2); an exit opening (cover 107 of fig 2) adapted to output scanned documents from said first scanning unit (100a of fig 1); a paper pathway extending from said feeder opening to said exit opening (tray 118 of fig 3, for receiving document from feeder opening); and a first image-forming subsystem (image forming 100a of fig 2), disposed within said first scanning unit for scanning images appearing on documents fed through said feeder opening (tray 100a of fig 2).

With respect to claim 14, Nakajima discloses the scanning system (as shown in fig 1) further comprising a feed roller disposed about said feeder opening and adapted to facilitate the introduction of said documents into said first paper pathway (feed roller is a means for feeding the document).

With respect to claim 15, Nakajima teaches the scanning system (as shown in fig 1) further comprising a separation roller disposed adjacent to said feed roller and adapted to ensure that only a single sheet of paper is fed through said feeder opening at any one time (paper feed mechanism in the image forming system., inherently provides rollers for separating a single sheet from tray).

With respect to claim 16, Nakajima teaches the scanning system (as shown in fig 1) further comprising a plurality of rollers disposed about said paper pathway and configured for facilitating the transmission of paper documents from said feeder opening to said exit opening (a system of fig 1, comprises a document feed mechanism, which includes paper feed path from entering and exiting the image forming system of fig 1)..

With respect to claim 19, Nakajima et al. discloses the scanning system (fig 1), wherein said second enclosure of said second scanning unit (100a of fig 2) further comprises a substantially flat upper surface (platen 106 of fig 2).

With respect to claim 20, Nakajima et al. discloses the scanning system (fig 1) wherein said second enclosure further comprising a glass top (platen 106 of fig 2) fixed to said upper surface and providing a platform upon which documents can be placed (Platen covers 107 of fig 2).

With respect to claim 21, Nakajima et al. discloses the scanning system (fig 1), further comprising: a lid (document cover 107 of fig 2) for covering documents placed on said glass top (platen 106 of fig 2); and a hinging means coupling one end of said lid, (col .7, lines 55-57).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Primary Examiner, Art Unit 2625